

REMARKS

This paper is responsive to the Official Action of March 9, 2004 and to the Notice of Non-Compliant Amendment mailed on August 25, 2004. The present response and amendment reiterates the issues addressed in the response and amendment mailed June 9, 2004 and addresses the points raised in the Notice mailed on August 25, 2004.

Drawings. A corrected drawing is submitted concurrently herewith. The drawing is corrected herein to illustrate items #21 and #22 in Figure 3 and to make the drawing consistent with the description in the specification.

Specification. The specification is amended herein to incorporate Sequenced Listing identification numbers to all nucleotide sequences in the specification, to update the first paragraph to reflect the current parent application data and to correct the amendment to the first paragraph as noted by the Examiner. Withdrawal of the objections to the specification is respectfully requested.

Title. The title has been amended to be consistent with the new title suggested by the Examiner, and withdrawal of this rejection is respectfully requested.

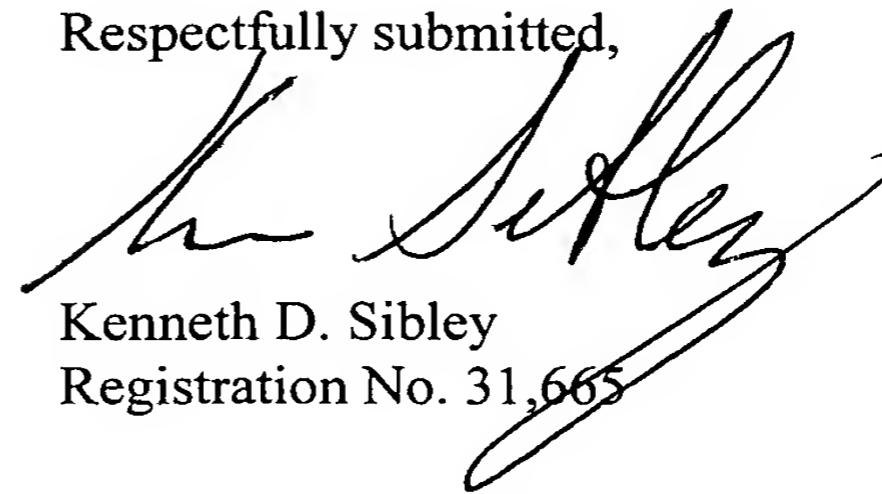
Claim rejections, 35 U.S.C. § 112. Claim 138 (and 140–142 dependent thereon) stands rejected as indefinite in the use of "said different oligonucleotide capture probes." The claim has been amended to clarify usage of the oligonucleotide capture probes throughout, and withdrawal of this rejection is respectfully requested.

Notice to comply with nucleic acid sequence rules. A response to the notice to comply with nucleic acid sequence rules is submitted concurrently herewith. Included with this response is a Sequence Listing in computer-readable form, a paper copy thereof and a statement that the contents of the computer-readable and paper copies of the Sequence Listing are the same.

Attorney Docket No. 5470-107BDV3
Application Serial No. 10/008,233
Filed: November 6, 2001
Page 9 of 9

It is respectfully submitted that this application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sibley".

Kenneth D. Sibley
Registration No. 31,665

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec, P.A.
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401